



INDIANA COMMISSION ON REHABILITATION SERVICES



ANNUAL REPORT

FEDERAL FISCAL YEAR 2003



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GREETINGS FROM THE CHAIR

The Indiana Commission on Rehabilitation Services represents Hoosiers with disabilities seeking employment through Vocational Rehabilitation Services.

The federal Rehabilitation Act requires each state to establish a council to review and advise the public Vocational Rehabilitation program and to evaluate the effectiveness of its services, including employment outcomes and customer satisfaction. Commission members are appointed by the Governor, and the majority of members also have a disability.

The Commission acts as a partner with Vocational Rehabilitation and with other disability-related councils in Indiana and across the nation toward the shared mission of promoting full employment and independence for people with disabilities. The Commission assists in planning a regular statewide assessment of vocationally-related needs of Hoosiers with disabilities; is involved in developing the Vocational Rehabilitation state plan; reviews current and proposed State policies and procedures related to Vocational Rehabilitation Services; reviews appeals and service eligibility issues; and develops position statements for advocacy on public policy issues that impact employment for people with disabilities in Indiana.

The Commission holds open forums at the annual conferences of other statewide disability organizations such as the Governor's Planning Council and the Arc of Indiana, to make ourselves conveniently available to you and provide an opportunity to talk with us about matters related to VR services. Our regular Commission meetings include an open forum for input from our guests as a part of each meeting's agenda. Commission members are also scheduled to be present at public hearings on Vocational Rehabilitation issues and policies, allowing us to hear and compare the public's comments region-by-region. The Commission also assists in developing the customer satisfaction survey, reviews the results and all comments, and together with VR uses these to identify current strengths and areas for improvement, and also to convey positive comments received to the VR Counselors 'in the field', with our appreciation.

If you have ever used or applied for VR services we urge you to contact any member of the Commission with your ideas, concerns, recommendations, or success stories. We'd love to hear from you.

Sincerely,

Karen Luehmann, Chair



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HISTORY AND PURPOSE

Section 105 of the Rehabilitation Act of 1973, as amended in 1992 and 1998, requires the State vocational rehabilitation agency to establish a State Rehabilitation Council (SRC). Council members are appointed by the Governor and serve no more than two consecutive full terms. No terms can exceed three years.

In Indiana, the State Rehabilitation Council is named the Commission on Rehabilitation Services. All Rehabilitation Act references to the “Council” in this report are applicable to the Commission.

The Commission was established under the preexisting Indiana Rehabilitation Commission. As required by the Rehabilitation Act, the Commission is composed of individuals representative of the following categories.

- **Statewide Independent Living Council**
- **Parent Training and Information Center**
- **Client Assistance Program**
- **Vocational Rehabilitation Counselor**
- **Community Rehabilitation Program**
- **Business, Industry, and Labor**
- **Disability Advocacy Groups**
- **Current or Former Applicants or Recipients of Vocational Rehabilitation Services**
- **Indiana Department of Workforce Development**
- **Indiana Department of Education**



MEMBERSHIP

The majority of the Commission members are individuals who have a disability, and are not employed by Vocational Rehabilitation Services. The Commission on Rehabilitation Services is comprised of the following members.

Representing a Parent Training and Information Center:

Sally Hamburg, Vice-Chairperson

IN*SOURCE
809 N. Michigan
South Bend, IN 46601

Representing a Community Rehabilitation Program:

Karen Luehmann, Chairperson

4829 East State Road 252
Franklin, IN 46131

Representing the Indiana Council on Independent Living:

Richard Simers*

3380 E. County Road, 500 N
Osgood, IN 47037

Representing the Client Assistance Program:

Sue Beecher

Indiana Protection and Advocacy
4701 N. Keystone Avenue, Suite 222
Indianapolis, IN 46205

Representing Business, Industry, and Labor:

Bashir A. Masoodi *

315 Magnolia Drive
Crown Point, IN 46307

Tony Eurton*

Kentucky Business Sellers
2106 Plantside Drive, Suite #6
Louisville, KY 40299

Russell C. Ragland *

416 Westchester Boulevard
Noblesville, IN 46060

NOTE: * = A single asterick identifies a person with a disability.

** = A double asterick identifies those individuals whose terms expired or who resigned during federal fiscal year 2003.



MEMBERSHIP

Representing Advocacy Groups, Individuals with Disabilities, representing Individuals with Disabilities, and Former and Current VRS Customers:

Nancy Ford-Winters *

Branches for Disabilities, Inc.
4433 Four Season Circle
Indianapolis, IN 46226

Kevin Kilty*

Indiana Depressive and Manic-Depressive Association
55 Monument Circle, Suite 55
Indianapolis, IN 46204

Jason Maloney,* Vice-Chairperson (Appointed 08/03)

6608 Illinois Avenue
Hammond, IN. 46323

Alice Olson*

1304 Redwing Road
Valparaiso, IN 46383

Bonna O'Toole

3896 N. U.S. Highway 41
Vincennes, IN 47591

Representing the Indiana Department of Workforce Development

Carol Baker

Indiana Department of Workforce Development
Implementation Unit
10 N. Senate,
3rd Floor, Room 304
Indianapolis, IN 46204

Representing the Indiana Department of Education

John Hill, Chairperson (Appointed 08/03)

Indiana Department of Education
Division of Special Education
Room 229, Statehouse
Indianapolis, IN 46204-2798

NOTE: * = A single asterick identifies a person with a disability.

** = A double asterisk identifies those individuals whose terms expired or who resigned during federal fiscal year 2003.



MEMBERSHIP

Ex-officio members:

Jonathan Kraeszig

Vocational Rehabilitation Services
933 East Hanna Street
Indianapolis, IN 46227-6379

Michael Hedden, Deputy Director

Vocational Rehabilitation Services
Indiana Government Center South, W453
P.O. Box 7083
Indianapolis, IN 46207-7083

During Federal Fiscal Year 2004 (October 1, 2003 to September 30, 2004), the Commission will continue to identify potential candidates for the Governor's consideration in making appointments.

NOTE: * = A single asterick identifies a person with a disability.

** = A double asterick identifies those individuals whose terms expired or who resigned during federal fiscal year 2003.



MISSION STATEMENT

**TO ASSIST PERSONS WITH DISABILITIES
TO ACHIEVE EMPLOYMENT
AND INDEPENDENCE**

VALUES

- 1 WE VALUE** persons with disabilities and their equal opportunity to: maximize employment; independence; and, to fully participate in their rehabilitation program.
- 2 WE VALUE** quality services for persons with disabilities to achieve employment and independence.
- 3 WE VALUE** staff as Vocational Rehabilitation's greatest resource.

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COMMISSION FUNCTIONS

The Commission's responsibilities are outlined in Section 105 of the United States Rehabilitation Act. In performing the following functions, the Commission must consult with the State Workforce Investment Board.

- Review, analyze, and advise the Vocational Rehabilitation Services program regarding their performance related to eligibility, order of selection, the extent, scope and effectiveness of vocational rehabilitation services, and functions performed by Vocational Rehabilitation Services that affect the ability of individuals with disabilities to achieve an employment outcome.

In partnership with the Vocational Rehabilitation Services program;

- Develop, agree to, and review the state's goals and priorities;
- Evaluate the effectiveness of the Vocational Rehabilitation Services program and submit an annual report to the Commissioner of the Rehabilitation Services Administration;
- Conduct a comprehensive statewide needs assessment, every three years, of individuals with disabilities living in the state;
- Advise Vocational Rehabilitation Services regarding its activities;
- Assist in the preparation of the State Plan, amendments to the Plan, applications, reports, needs assessments, and evaluations, including those necessary for the Vocational Rehabilitation Services program to satisfy the requirements of developing a comprehensive system of personnel development and establishing an order of selection;
- Review and analyze the effectiveness of and customer satisfaction with Vocational Rehabilitation Services' functions, services provided by Vocational Rehabilitation Services and others, and employment outcomes achieved by Vocational Rehabilitation Services customers.
- Prepare and submit an annual report to the Governor and the Commissioner of the U. S. Department of Education's Rehabilitation Services Administration on the status of the Vocational Rehabilitation Program in the state; and make the report available to the public.
- Coordinate the activities of the State Rehabilitation Council with the activities of other councils, such as the State Independent Living Council (SILC), the advisory panel established under the Individuals with Disabilities Education Act (IDEA),



COMMISSION FUNCTIONS

the State Developmental Disabilities Council, the State Mental Health Planning Council, and the State Workforce Investment Board.

- Provide for the coordination and the establishment of working relationships between Vocational Rehabilitation Services and the State Independent Living Council and the Centers for Independent Living, and
- Perform other functions that are determined appropriate and comparable to the State Rehabilitation Council's other functions, provided they are consistent with the purpose of Title I of the Rehabilitation Act and its implementing regulations.



COMMITTEES

The Commission's committees and sub-committees meet on an "as needed" basis. Committee functions are briefly outlined below.

The **Policy & Oversight Committee** consults with Vocational Rehabilitation Services on the development, implementation, and revision of State policies and procedures pertaining to the provision of vocational rehabilitation services; reviews appeals; advises Vocational Rehabilitation Services on eligibility and the scope and effectiveness of vocational rehabilitation services and activities, and the functions that affect individual employment outcomes. The committee's purpose relates to the implementation of policies and procedures rather than the day to day management of the program, and will involve researching issues brought before the Commission.

The **Planning and Evaluation Committee** functions in partnership with Vocational Rehabilitation Services to fulfill all planning, evaluating, and reporting responsibilities as defined in the Rehabilitation Act, through the establishment of the following four sub-committees:

Needs Assessment—In coordination with Vocational Rehabilitation Services, conducts a statewide needs assessment every three years.

Goals and Priorities—In coordination with Vocational Rehabilitation Services, develops, agrees to, and reviews State goals and priorities, and incorporates customer input from public forums, satisfaction surveys, etc.

State Plan—In coordination with Vocational Rehabilitation Services, prepares the State Plan and amendments, ensuring compliance with all Rehabilitation Act requirements.

Evaluation and Reporting—In coordination with Vocational Rehabilitation Services, evaluates the effectiveness of the Vocational Rehabilitation Services Program, and reports annual progress to the Rehabilitation Services Administration; evaluates achievement of the State Plan, including the goals, priorities, and all other requirements of the Rehabilitation Act; and prepares and submits an annual report to the Governor, the Rehabilitation Services Administration, and the public on the status of Vocational Rehabilitation Services. For each required report, the committee will determine the content and provide it to the Public Outreach Committee for report design.

The **Customer Satisfaction Committee** solicits, reviews, and analyses customer input and/or satisfaction with the functions of Vocational



COMMITTEES

Rehabilitation Services to include services and employment outcomes, and conducts such activities as necessary to assess satisfaction and obtain feedback, such as written and/or telephone surveys, public forums, focus groups, etc.

The **Public Outreach Committee** coordinates public education efforts, including advocacy and publicizing positive outcome data; plans special events, develops the approach and strategies to enhance the image and vitality of the Commission, and coordinates outreach and marketing; designs and prepares materials for effective communication with customers, the public, the Governor, the Legislators, and the Rehabilitation Services Administration. The committee is responsible for developing the Commission's annual report utilizing the information provided by the Planning and Evaluation Committee.

The **Recruitment Committee** is responsible for general recruitment and the nomination of candidates who are interested in serving on the Commission. The names of potential candidates are subsequently submitted to the Governor for consideration. The committee also ensures that the nominations for Commission Chairperson, Vice-Chairperson and Secretary are solicited when necessary.



COMMISSION FEDERAL FISCAL YEAR 2003 MEETINGS

Five Commission meetings were held during federal fiscal year 2003. The Commission conducted business meetings on: November 21, 2002; March 14, 2003; June 13, 2003; August 25, 2003; and September 12, 2003. In networking with Vocational Rehabilitation Services staff and customers, the decision was made to conduct one business meeting per year outside the Indianapolis area to enable the Commission to meet with Vocational Rehabilitation Services customers and field staff. In federal year 2003, the meeting was held in New Albany, Indiana.

Throughout the year, the Commission members received many Vocational Rehabilitation Services documents and reports to include: Vocational Rehabilitation Services Automation Updates and Fiscal Reports, State Legislative Updates; Customer Satisfaction Survey Highlights; Federal Fiscal Year 2003 Proposed Outcomes; VRS Performance Standards and Indicators and other statistical information; Annual Revisions to the Title I State Plan for the Vocational Rehabilitation Services Program, and its Title VI, Part B Supplement for Supported Employment Services; Policy Manual drafts; appeal decisions, and the RSA 722 Report—Resolution of Applicant/Client Appeals. Presentations were made on topics to include Open Door and Access to Public Records, Transfer of Goods and Services, Order of Selection, and Ticket to Work.



COMMISSION HIGHLIGHTS

Following are some of the accomplishments achieved during federal fiscal year 2003.

- Provided input into Vocational Rehabilitation Services policies to include the proposed implementation of an Order of Selection.
- Collaborated with Vocational Rehabilitation Services in the development of the annual revisions to the State Plan, to include the Goals and Priorities and Comprehensive System of Personnel Development.
- Attended State Plan public hearings.
- Attended public hearings for Policy Manual revisions and the proposed implementation of an Order of Selection.
- Reviewed Vocational Rehabilitation Services appeal decisions and made recommendations for changes when systemic issues were identified.
- Approved continued use of the customer satisfaction survey previously developed in partnership with the Vocational Rehabilitation Services program.
- Achieved the goal of networking with other Governor appointed Boards, Councils, and Commissions, as well as agencies and organizations, to enhance the visibility of the Commission and provide linkages by participating in several events throughout the year.
- Improved communication with Vocational Rehabilitation Counselors by providing to them on a regular basis a summary of the customer satisfaction survey comments.
- Represented the Commission's interests at a Legislative Reception held in partnership with the Governor's Planning Council for People with Disabilities, the Indiana Council on Independent Living, the Council of Volunteers Organizations for the Handicapped, the Association for Retarded Citizens, Protection and Advocacy Services, some community rehabilitation programs, and other stakeholders interested in services to people with disabilities.
- Expanded the Commission's knowledge in such areas as Open Door and Access to Public Records, Transfer of Goods and Services, Order of Selection, and Ticket to Work through presentations provided by relevant State agency personnel, specific Commission members, and Vocational Rehabilitation Services staff.
- Ensured that the Commission's membership was in compliance with federal mandates, and strengthened diversity among the Commission's membership.
- Prepared a letter of support for the Department of Workforce Development WorkOne Centers Accessibility grant.
- Revised the Commission By-Laws to include adding a Secretary to handle all correspondence.



COMMISSION OUTREACH

The Commission initiated a major outreach initiative in federal fiscal year 2002, which has been met with extreme success and positive feedback. As each Commission member learned about upcoming events/opportunities, he or she was asked to take action to find out if the Commission could be included. The information was then channeled through the Public Outreach Committee who made certain that the appropriate steps were taken to ensure Commission member representation. In addition, all Commission members were asked to seek opportunities to publicize both Vocational Rehabilitation Services and the Commission, and provide feedback.

The Commission members achieved their goal of networking with other Governor appointed Boards, Councils, and Commissions, as well as agencies and organizations, which included:

FFY 2003 activities

October 2, 2002	Commission's Public Forum	2002 Arc of Indiana Conference
November 7, 2002	Commission Table	2002 In-Source Conference
November 19, 2002	Commission's Public Forum	2002 Indiana Governor's Planning Council for People with Disabilities Conference
March 6, 2003	Commission's Public Forum	IN Association of Rehabilitation Facilities Conference

The Commission members have also identified the National Association for Mental Illness, the National Federation of the Blind, and the American Council of the Blind as future opportunities for forums.



COMMISSION'S RECOMMENDATIONS

Vocational Rehabilitation Services has been actively responsive and supportive of the Commission on Rehabilitation Services' suggestions and recommendations made throughout the year. On August 25, 2003, the Deputy Director of Vocational Rehabilitation Services convened a special meeting with the Commission to explain major policy changes that were being drafted to include the proposed implementation of an Order of Selection. In addition, public hearings were held in five areas of the state, and all interested parties were given the opportunity to provide comment in person, by mail, or electronically. The following summary addresses comments and recommendations made by specific members of the Commission on Rehabilitation Services and includes the Vocational Rehabilitation Services responses and clarifications as appropriate.

WITH REGARD TO THE PUBLIC HEARINGS AND MATERIALS PRESENTED FOR THE PUBLIC HEARINGS GENERALLY

- (1) One Commission member expressed concern that several of the chapters presented made reference to other chapters not yet written and available for comment.

Three reasons are cited for the situation noted. (1) The entire Policy and Practice Manual (PPM) revision is not yet written, so could not be presented all at once. (2) If the completed manual were presented all at one time, it would be too much material for the public to review and provide comprehensive comments on it. (3) The main issue for these public meetings was the order of selection, so it was those manual chapters related in some way to the order of selection that were chosen for completion and presentation first (along with any others that had been completed to date). In any event, the chapters referenced will also be completed and presented to the Commission, the Client Assistance Program (CAP), and the public, and all interested parties will have the opportunity to review and comment on them prior to their implementation.

- (2) A Commission member stated in general that they didn't understand what was intended in the PPM chapters by **REQUIRED PRACTICE**, or from where the materials they contain had been derived.

The **REQUIRED PRACTICE** sections of the manual chapters are, as their label implies, a mandatory application of the policy which they follow. Depending on the particular section, the concepts covered in each section of **REQUIRED PRACTICE** are based: (A) in many cases, on subregulatory federal policy directives, guidance, and reporting requirements; (B) in several instances, on federal, state, and internal program reviews and fiscal audits which required or recommended policy and procedural changes or clarifications; (C) in a handful of cases, on interpretations of the law by agency legal staff; (D) sometimes, on the need to assure compliance with the



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program's automated case service and reporting system; (E) in other instances, on the need to address issues arising from the mediation and administrative hearing processes; and (F) on the need to provide more detail, examples, or other information to permit counselors and other staff to correctly apply the policy in question. The REQUIRED PRACTICE sections of the manual are, in fact, mandatory practices, and not merely guidance or suggested practices.

REGARDING THE PROPOSED STATE PLAN REVISION ON ORDER OF SELECTION AND THE ACCOMPANYING PROPOSED POLICY AND PRACTICE MANUAL (PPM) CHAPTER ON THE ORDER OF SELECTION

- (3) One Commission member noted as a general comment that the proposed order of selection Policy and Practice Manual (PPM) chapter really didn't say much, and needed to be more detailed.

The chapter in question needs to be viewed within the total context of the revised chapters, as proposed. For example, the criteria for determining whether an individual is an individual with a disability, an individual with a significant disability, or an individual with a most significant disability is covered under another chapter and, although the order of selection priority category to which the individual is assigned is based on the determination made regarding the significance of his or her disability, it was not felt necessary to repeat in the order of selection chapter information already provided elsewhere. As a result of this comment, however, other fairly significant changes were made to the order of selection PPM chapter which do provide more specific information and focus the chapter as a whole more clearly on the pertinent policies and procedures.

- (4) In the proposed State plan amendment for order of selection, as well as in the related PPM policy as proposed, several of the functional capacity criteria required that an individual have an "uncorrected and unaccommodated limitation" of the particular functional capacity in order to be found to have a "serious limitation" of that capacity. One Commission member questioned what was intended by the phrase "uncorrected and unaccommodated limitation."

The intent was to emphasize that an individual had a substantial service need with respect to the particular functional capacity that had not yet been met in order to be determined to have a serious limitation of that capacity. In deference to this comment and subsequent discussions of the issue raised, the State plan and the related PPM policy were revised, to: (A) delete the phrase "uncorrected and unaccommodated limitation;" and (B) substitute other language, to indicate that the serious limitation cited for each of the functional capacities must result in a "current" and "consistent" need.



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- (5) A Commission member stated that the policy on the order of selection should indicate more clearly when (at what points in an individual's VR program participation) the federally mandated notifications regarding the order and their individual priority category assignment, their right to request a review of their priority category assignment, etc. would occur.

The proposed PPM chapter was amended to be as specific as possible concerning the notification points.

- (6) A Commission member also wanted to know, relative to the notifications cited in issue (5), preceding, whether or not the notifications would include a CAP notification.

The federal regulatory requirements of 34 CFR §361.36(e)(2) do not require notifying the individual regarding the CAP in the context of the order of selection notification; nevertheless, a CAP notification seems in the spirit of the regulations and is of potential benefit to customers. For these reasons, the proposed PPM chapter was amended to add, as a state agency requirement, that order of selection notifications require that the individual be notified regarding the CAP in addition to the federally required notification information.

- (7) A Commission member also asked whether or not all individuals with signed IPEs at the time that an order of selection is implemented would be informed of their right not have services denied, reduced, or terminated.

The VR program is required to make an assurance that its order of selection will not interrupt services being provided to individuals receiving services under an IPE already agreed to. That assurance is provided in the State plan, and is also clearly stated in the proposed order of selection policy itself. A specific notification to the individual in this regard is not federally required, and is not deemed necessary. Should the situation arise in which an individual already receiving services under an approved IPE has his or her services incorrectly reduced or terminated as a consequence of order of selection implementation, the situation can adequately be dealt with through the mediation and administrative hearing processes, in which case we would expect a finding in the individual's favor.

- (8) One Commission member noted that the proposed order of selection policy needed to provide greater detail concerning information and referral services, and that the final version should reflect all of the federal requirements of 34 CFR §361.37.



COMMISSION'S RECOMMENDATIONS

The proposed PPM chapter was reviewed with respect to regulatory requirements, and language was added, to cover all requirements pertinent to the information and referral services provided to individuals on the agency's deferred services waiting list.

POLICY AND PRACTICE REVISION CONCERNING THE PROCESSING OF REFERRALS AND APPLICATIONS

Commission members also presented comments regarding several of the other proposed Policy and Practice Manual (PPM) chapters.

- (9) With respect to the proposed PPM chapter on processing referrals and applications, a Commission member objected to a REQUIRED PRACTICE section which defined being "present in the State" as having some demonstrable connection with the State (such as being countable for census purposes, eligibility for voter registration, property ownership, work, etc.) that is more than merely having applied for VR services alone.

The REQUIRED PRACTICE information in question is based on federal guidance received by the program, and is also consistent with other federal requirements which require an applicant to be available to participate in an assessment for determining eligibility and priority for services.

POLICY AND PRACTICE REVISION CONCERNING THE ASSESSMENT FOR DETERMINING ELIGIBILITY AND PRIORITY FOR SERVICES

- (10) A number of comments were received which suggested that the PPM chapter on the assessment for determining eligibility and priority for services was confusing for some. As originally proposed, the chapter was 36 pages long, and covered the assessment itself and its conduct, trial work experiences, extended evaluations, the eligibility determination, the determination regarding the significance of the individual's disability, and other issues.

On reexamination, the original policy manual draft did appear to be less clear than other proposed chapters. As a consequence of these comments, the original one chapter was divided into three chapters: one concerning the assessment and assessment process requirements; another dealing with the eligibility determination; and a third covering the determination regarding the significance of the individual's disability. In each of the three resulting chapters, care has been taken to include only those policy and practice requirements pertaining to the subject discussed, and it is felt that the result is clearer and less daunting.



COMMISSION'S RECOMMENDATIONS

POLICY AND PRACTICE REVISION CONCERNING THE ELIGIBILITY DETERMINATION

- (11) Noting that the proposed policy didn't include one, a Commission member asked whether or not there is a policy guideline on how long trial work experiences or an extended evaluation can last.

No such guideline is given or required in federal policy, except to the extent that it states that they must last for a period of time sufficient to make a determination regarding whether or not an individual is capable of achieving an employment outcome. That period of time would be different for each individual, so the policy cannot establish any arbitrary duration for trial work experiences or an extended evaluation.

- (12) Two Commission members noted that further clarification was needed concerning the section in the draft PPM chapter that individuals currently engaging in the illegal use of drugs or alcohol were ineligible for VR services.

The section in question was thoroughly revised, to include considerably more explanation.

POLICY AND PRACTICE REVISION CONCERNING DETERMINATIONS REGARDING THE SIGNIFICANCE OF THE INDIVIDUAL'S DISABILITY

- (13) One commenter questioned the policy that services allowed to count toward meeting the "multiple VR services" requirement for purposes of significant and most significant disabilities must be services which require the expenditure of program funds.

The policy was reconsidered, and the requirement was deleted from the final language for determining "multiple VR services."

- (14) A Commission member questioned how the nine-month benchmark for determining "extended period of time" was determined, and asked how counselor can be expected to accurately project whether or not the individual will meet the time frame.

The nine-month requirement was based on statistical data showing the case duration ranges for individuals who were determined to be significantly and most significantly disabled, the shortest duration of which (after eliminating the longest and shortest one percent) was nine months.



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- (15) One Commission member noted that the inability to bathe oneself, dress and undress oneself, and groom oneself, as provided for in current program policy, had been omitted from the criteria listed in the draft chapter for determining the presence of a self care capacity impairment.

The omission from the draft language was unintended, and the referenced activities were restored to the final version of the self care criteria.

- (16) A Commission member misread the intent of the multiple services requirement for SD and MSD determinations, and indicated disbelief that an individual must need two or more services before they could be determined to be eligible.

An individual need require only one service to be eligible. The two-or-more services requirement applies only to the severity determination, and is based on the clear regulatory requirement that individuals determined to be significantly disabled or most significantly disabled must require "multiple" services. By dividing the original draft chapter into three, as previously noted, it is believed that the distinction has been made clearer.

POLICY AND PROCEDURE REVISION CONCERNING TRANSITION SERVICES

- (17) With respect to the proposed policy on transition services, a Commission member stated that they would like the policy to be more specific as to how early the VR program can take an application and determine eligibility for students with disabilities.

The policy provides that the student, family, and VR counselor are to determine together if and when an application for VR services is to be completed, and that the student can apply for VR services "as soon as may be appropriate" for the student. Since the timing of that determination is different from student to student, it really isn't possible to be more specific about when application can occur. However, the policy does state that the application must be taken "not later than the beginning of the last semester of the student's projected exit year."

- (18) One Commission member questioned why informational materials were sent by VR to school guidance counselors and not to special education personnel, instead.

Transition services (and information concerning transition services) must be made available to all students with disabilities; not just students with disabilities in special education programming. No change was made to the draft policy.



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POLICY AND PRACTICE REVISION CONCERNING VEHICLE MODIFICATIONS

- (19) The draft policy included a provision which stated that, if the individual's choice of vehicle type, make, model, or equipment resulted in modification costs that were higher than the least costly options that fully meet the individual's vocational rehabilitation needs, the individual must be responsible for meeting the difference in cost. A Commission member responded that such issues are a matter of informed choice, and that the requirement should be deleted from policy and practice.

The exercise of an individual's informed choice is not effectively impaired by the proposed policy and practice. The individual can make whatever choices he or she desires. But, with the exercise of choice comes responsibilities and potential consequences for the choices made. The principle stated in the policy is the same as that stated in the federal regulations with respect to an individual's choice of an out-of-state service provider in situations where the use of either the out-of-state provider preferred or a less costly in-state provider would meet the individual's needs, but the individual's preference would be the out-of-state provider (34 CFR §361.50(b)). Consequently, we believe the policy to be consistent with informed choice.

- (20) The draft policy and practice also included provisions which require the application of manufacturer's rebates, and insurance settlements received for damaged or destroyed modifications to the costs of vehicle modification transfer, repair, or replacement. A Commission member objected to these provisions.

The same provisions are applied in other states, and appear to be rational, responsible, and reasonable. A manufacturer's rebate is provided specifically to help offset the costs of vehicle modification, so it is logical that it be so applied. Likewise, insurance settlements received because adaptive equipment has been damaged or destroyed are paid by the insurance company in consequence of the damage or loss incurred, and it seems appropriate that the settlements should be used to meet the costs of repair or replacement of the equipment in question. It is not acceptable, for example, that the VR program be expected to pay for vehicle modifications, then pay for them again when they are damaged or destroyed in an insured accident because the vehicle owner would rather use the settlement for other purposes. No change was made to the final policy and practice in this regard.

- (21) A Commission member called for deleting the draft policy and practice which limit modifications to vehicles that are less than 7 years old and which have less than 70,000 miles on their odometers. It also suggested that the policy and practice needs to specify exceptions to the requirements which state that, once a modification is provided for an individual, the individual can't qualify for



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another modification until they have driven the vehicle modified first for 7 years and 70,000 miles.

Other states have the same or very similar rules, where they appear to operate reasonably well. However, the requirements in question were reviewed and significantly amended to loosen the criteria and allow an exception when additional modifications are required as a consequence of changes in the individual's disability.

POLICY AND PRACTICE REVISION CONCERNING TRANSPORTATION SERVICES

(22) The draft policy stated that transportation could not be offered as a stand-alone post-employment service solely to provide ongoing transportation to and from work for an individual who has been placed into employment and rehabilitated. A member of the Commission objected to this limitation on the grounds that assistance with transportation might be needed to assure job maintenance, reemployment after job termination, or job advancement, which are the purposes of post-employment service provision.

Nevertheless, the federal regulations define transportation as travel and related expenses that are necessary to enable an applicant or eligible individual to "participate in a vocational rehabilitation service" (34 CFR 361.5(b)(57), and further clarify (34 CFR 361.48(h)) that transportation is available "in connection with the rendering of any vocational rehabilitation service." Long-standing subregulatory federal program policy also specifically declares that "Transportation cannot be furnished as a single service to support an individual in employment after closure" (RSM 2020.05B(4)). The proposed policy statement, being consistent with federal law and policy, was retained in the final version.

Conclusion

The Commission and the State VR agency have continued to experience a positive working relationship. The State VR agency has either acted on the Commission's recommendations or sought clarification.



VRS GOALS AND PRIORITIES

Consistent with the reauthorization of the Rehabilitation Act, the Commission has become more extensively involved with its role in relation to goals and priorities as well as in regard to assisting Vocational Rehabilitation Services in assessing progress toward annual goals. On January 6, 2002 the members of the Commission who are on the committees which are linked to State Plan development activities met with the Vocational Rehabilitation Services staff who write specific elements of the State Plan. The Commission participants gained increased knowledge about the State Plan structure and the federal requirements. They were responsive to the federally mandated requirements and provided their input into the development of the State Plan.

In measuring the effectiveness of the Vocational Rehabilitation Services program, the Commission utilized the established Goals and Priorities. Following is the Commission's assessment in this regard.

BUREAU'S GOAL:

to increase the number of people with disabilities in integrated, competitive employment

OBJECTIVE A: VR customers will have easy access to, and quick delivery of, services.

MILESTONES/OUTCOMES

1. To obtain customer input on improving service delivery.

This milestone was met. Individual VR offices have implemented a "customer satisfaction card" by which customers can provide immediate feedback. Each customer is also asked to complete the survey developed by the Rehabilitation Commission and this information is compiled, shared, and changes made to policy/procedure as appropriate.

2. Customers will have access to VR services in all 92 counties by the development and implementation of a standard of accessibility for all places in which VR has a presence.

This milestone was met. Teams surveyed all VR locations, as well as the Department of Workforce Development "One Stops." In addition, program accessibility (i.e., information in alternative formats) was evaluated in the "One Stops," i.e. computer needs for reasonable accommodation, etc. Office leases are negotiated with landlords based, in part, on the accessibility survey results.



VRS GOALS AND PRIORITIES

3. To comply with all of the Ticket to Work legislation (to be implemented 11/02) as an employment network in order to serve individuals who are receiving SSI/SSDI benefits.

The agency supported and is now collaborating with two entities in the state that were successful in obtaining federal grants for benefits planners. Stakeholders met in 2002 to identify training needs and negotiation of memorandums of understanding. Training has been provided statewide to VR staff and stakeholders. Technical support continues to be available from the Central Office point person.

4. To provide services to customers who are over 55 years of age and who are blind or who are visually impaired that do not have a vocational goal. (Title VII, Chapter 2 of the Rehabilitation Act)

These specialized services are being provided by a Blind and Visually Impaired Services (BVIS) grant.

OBJECTIVE B: All staff will be hired per the Comprehensive System of Personnel Development (CSPD.) (Objective modified 2002)

MILESTONES/OUTCOMES

All new hires to VR will have master's degrees in Rehabilitation Counseling or a closely related area, and current VR staff who do not already have Certified Rehabilitation Counselor (CRC) accreditation or a master's degree will receive agency support to meet the Comprehensive System of Personnel Development requirements.

OBJECTIVE C: The VR staff will operate a quality VR program

MILESTONES/OUTCOMES

1. Adherence to the RSA approved state plan

This milestone was met.

2. Completion of program and fiscal policies that will support performance based outcomes. (New priority in 2002)

This initiative, now referred to as Results Based Funding, is continuing. The program and fiscal policies have been drafted and reviewed via statewide public hearings. Final revisions are underway. Anticipated completion date is March 1, 2003.



VRS GOALS AND PRIORITIES

OBJECTIVE D: VR customers will have a seamless and customer responsive delivery system

MILESTONES/OUTCOMES

1. The VR customer will have access to an improved and streamlined system of intake and service delivery in One Stop Centers. This includes the development/maintenance of electronic linkages.
 - Each area office has established procedures for intake with corresponding “One Stop” location.
 - Development of a standardized Memorandum of Understanding for local field use has been completed.
 - Development of a Local One-Stop System Resource Handbook was completed.
 - While not in place statewide, various VR offices and One Stop Centers continue to work toward electronic linkages with each other.
 - VR has a presence at each One Stop Center.
2. VR will advocate, promote, and extend VR customer service focus to all partners.

Regional round table joint discussions between the Department of Workforce Development and VRS occurred during FFY 2002. The results of these discussions on how to improve coordination of services and stakeholder interactions has been compiled and is currently being reviewed to identify next steps.

OBJECTIVE E: VR customers will be assured the opportunity for successful employment consistent with their strengths, resources, priorities, concerns, interests, abilities, and capabilities.

MILESTONES/OUTCOMES

1. Each VR customer will be provided as many informed choices as practical as it relates to his/her placement opportunities.

The “informed choice” training curriculum that was developed as the result of the continuous quality improvement initiative has been used in each of the regions in the state as well as in the training for new staff. As data is collected by the agency, as well as other stakeholders, it is made available to counselors and, in turn, to the customers that they are assisting in order to make informed choices of vendors.



VRS GOALS AND PRIORITIES

2. Provision of orientation and training for VR staff and customers on informed choice and self-determination.

The curriculum for informed choice has been incorporated into the training efforts of the agency for new counselors and others who wish to participate.

3. Collaboration with partners and stakeholders in the VR process to ensure front line, as well as administrative staff, support customers to obtain employment, and are knowledgeable in those skills necessary for a successful employment outcome.

This effort continues through the development of memorandums of understanding, cooperative agreements, and the agency's training efforts.

4. Provision of interpreter services for customers to be able to access services.

Efforts to expand the number of qualified interpreters available statewide continues.

OBJECTIVE F: The VR program administration will function effectively and efficiently, supporting all aspects of the VR program.

MILESTONES/OUTCOMES

1. Completion of an automated case management system.

VR has installed the IRIS automated system. The "case management" aspect of the system has been installed, and staff has been utilizing it since mid October of 2001. Refinements continue to be made ensuring the most efficient use of time as well as keeping the customer as the focus. The "fiscal/claims" aspect of the system continues to be developed.

2. Processes and practices that are duplicative will be examined and streamlined.

This is ongoing.

3. Ensure that staff has the tools to do their jobs. Includes resource allocation, case-load size examination, morale, etc.

The focus is now the refinement and enhancement of the automated system. Through Continuous Quality Improvement Teams, staff have been involved in all aspects of the automation system, including the original design, testing, redesigning and making modifications to the system.



VRS GOALS AND PRIORITIES

5. Investigation of a “financial means test” for customers who are accessing VR services.

A product design team has been established to address this priority. Investigation of other agencies in the nation has occurred, i.e. income level, definitions of terms such as “household”, and various laws and regulations. The Policy drafts are undergoing review.

INNOVATION AND EXPANSION ACTIVITIES

Indiana Innovation and Expansion funds (Title I) are contracted to the Indiana Institute on Disability and Community to support the Indiana Employment Initiative, which is a continuation of the Indiana Systems Change Project. Activities by the IIDC included: transition school to work; supporting, through training and technical assistance, conversion from segregated sheltered work to community based competitive employment; and, a study on the efficacy of using a “mentor” for job coaches.



VRS PERFORMANCE ON THE FEDERAL EVALUATION STANDARDS

Performance Indicator 1.1

The total number of rehabilitations recorded in the current Federal Fiscal Year (FFY) compared to the previous year's total.

Standard: Equal or exceed previous performance period.

During FFY 2003 Indiana recorded 4,818 rehabilitations as compared to 3,980 in FFY 2002, which is above standard. The 838 additional rehabilitations represented a 21.0% increase over last year's total.

Performance Indicator 1.2

The total number of rehabilitations divided by the sum of the number of rehabilitations plus the number of Status 28 closures (the New Rehabilitation Rate).

Standard: 55.8%.

During FFY 2003 Indiana achieved a New Rehabilitation Rate of 55.8%, which is at standard. This rate represents a 0.7 of a percentage point decrease from the FFY 2002 rate of 56.5%

Performance Indicator 1.3 (Primary)

The percentage of rehabilitants who achieve a competitive employment outcome with an hourly wage at or above the Federal Minimum Wage of \$5.15. Competitive employment includes self and Business Enterprise Program employment.

Standard: 72.6%.

During FFY 2003, 93.1% of Indiana's rehabilitants were closed in competitive employment earning at least the Federal Minimum Wage. Indiana's percent exceeded the standard by 20.5 percentage points which satisfied the performance requirement. It also represents a 2.5 percentage point increase over Indiana's FFY 2002 percentage.

Performance Indicator 1.4 (Primary)

The percentage of all competitively placed rehabilitants earning at least the Federal Minimum Wage who have significant disabilities.

Standard: 62.4%.



VRS PERFORMANCE ON THE FEDERAL EVALUATION STANDARDS

In FFY 2003 93.8% of Indiana's competitively placed rehabilitants earning at least the Federal Minimum Wage had significant disabilities. This figure exceeds the standard by 31.4 percentage points, which satisfied this performance requirement. However, this year's percentage represents a two percentage point decline from last year's percentage of 95.8%.

Performance Indicator 1.5 (Primary)

The ratio between the average hourly wage of competitive rehabilitants making at least the Federal Minimum Wage and the State of Indiana's average hourly wage for all employed individuals. In 2001, the latest year for which wage data are available, the State of Indiana's average hourly wage was \$15.28.

Standard: 0.52 (Ratio).

The average hourly wage for Indiana's FFY 2003 competitive rehabilitants making at least the Federal Minimum Wage was \$10.53. Dividing \$10.53 by \$15.28 yields a ratio of 0.69, which exceeds the standard of 0.52. Therefore, this performance requirement was satisfied. By comparison, in FFY 2002 the average hourly wage of competitive rehabilitants was \$10.04, the State's 2001 average hourly wage was \$15.28 (the latest figure available at the time), and the ratio was 0.66.

Performance Indicator 1.6

The difference between the percentages of competitively placed rehabilitants making at least the Federal Minimum Wage who say their personal income was their largest single source of support at case closure and those who say their personal income was their largest single source of support when they applied for services. Personal income includes earnings, rent, interest, and dividends.

Standard: 53.0 (mathematical difference).

During FFY 2003 41.1% of the competitively placed rehabilitants earning at least the Federal Minimum Wage said that their personal income was their largest single source of support at application. At case closure 78.2% of this group reported that personal income was their largest single source of support. The difference between these two percentages is 37.1 which is smaller than the 53.0 standard for this indicator. Therefore Indiana failed to achieve this performance requirement.

By comparison, in FFY 2002 Indiana's performance was 41.2 and in FFY 2001 it was 36.7. In both of these years Indiana also failed to meet the 53.0 standard.



VRS PERFORMANCE ON THE FEDERAL EVALUATION STANDARDS

Performance Indicator 2.1

The ratio of the service rate for minorities to the service rate for whites. The service rate for minorities is obtained by dividing the number of minorities who exited the program after receiving services under an IPE by the total number of minorities who exited the program. Similarly, the service rate for whites is obtained by dividing the number of whites who exited the program after receiving services under an IPE by the total number of whites who exited the program (i.e. [26's+28's]/[02-08's+06-08's+26's+28's+30's]).

Standard: 0.80 (Ratio).

The service rate for minorities during FFY 2003 was 50.5%. Similarly, the service rate for whites was 60.9% for the same time period. Dividing the minority service rate by the white service rate yields a ratio of 0.83, which is greater than the standard of 0.80. Consequently, Indiana satisfied this performance requirement.

By comparison, the service rate for minorities in FFY 2002 was 51.3% while the service rate for whites was 58.8%. Consequently, dividing the minority rate by the white rate yielded a ratio of 0.87.

Since Indiana's performance equaled or exceeded standard on five of the six employment outcome indicators, including all three primary indicators, and exceeded the standard for the equal access indicator, it has avoided participating in an improvement plan for FFY 2003.



(*Report of Dr. Lee Moon, obtained from VRS, DDARS, FSSA, Dec. 2003)

CONCLUSION

Four thousand eight hundred and eighteen individuals found jobs through VR during FFY 2003. Four thousand four hundred and eighty six obtained competitive jobs in integrated work settings.

VR customers rated all aspects of their VR experience between *Good* and *Very Good*. They were most satisfied with the way their counselor treated them. They were least satisfied with the degree to which they achieved their job goal. The program achieved many of its established annual goals and met or exceeded all but two of the program evaluation standards.

This analysis, as well as Vocational Rehabilitation Services' own self-assessment, points the way to issues, which can be addressed through the establishment of priorities objectives and special initiatives. The program has proved its ability to adapt to its time, change to meet the changing needs of Hoosiers with disabilities and evolve to become even more effective in the future. So, as we roll up our sleeves to continue work on our current challenges, let us also give thanks for all that has been achieved through the hard work of agency staff, administrators, service providers and their staff and most of all the customers.



FOCUS 2004

In early 2004, the Commission will be preparing this federally mandated report for FFY 2004 to be included in the Vocational Rehabilitation Services State Plan. Based on the statistical information presented above, Vocational Rehabilitation Services appears to have maintained its good standing with the Commission.

During 2004 the Commission will continue to develop mechanisms to ensure public participation in meetings. The dates, times, and locations of the meetings are posted on the State agency website, and each meeting is also posted at the location with 48 hours notice in accordance with the Open Door Law. Each Commission agenda includes a standard time for Open Forum comments from the public.

Positive measures continue to be initiated by the Commission to ensure that the Commission's duties and functions are achieved, consistent with the requirements of the Rehabilitation Act. In 2003, the Commission presented information and provided a forum for public comment during the annual conference of the Governor's Planning Council for People with Disabilities, the IN Association of Rehabilitation Facilities conference, and the ARC of Indiana conference. The measures being taken by the Commission to network with other Governor appointed Boards, Councils, and Commissions will continue during federal fiscal year 2004.

In addressing the status of the Vocational Rehabilitation Services program, the Commission recognizes that Indiana's Vocational Rehabilitation Services has undertaken many important initiatives during the past fiscal year and continues to build on these accomplishments. The Commission enjoys a very positive working relationship with Vocational Rehabilitation Services and supports their efforts to improve customer service and the service delivery system.

Through the establishment of committees, the Commission members have been able to more clearly focus on specific issues in a timely manner. The Commission will annually examine the effectiveness of the current committees and will then determine the need for changes in committee functions and/or the inclusion or discontinuance of specific committees.

Vocational Rehabilitation Services and the Indiana Department of Workforce Development are working in partnership to improve services to Indiana's citizens with disabilities. Collaborative initiatives include co-locating offices to maximize access to information and services. Steps are also being taken to address accessibility issues at the One-Stop Centers and identify methods for sharing data and making the service delivery system customer friendly.

As the Commission looks to the future, its members will work in partnership with the Division of Disability, Aging, and Rehabilitative Services to develop,



FOCUS 2004

agree to, and review the State's Goals and Priorities. During federal fiscal year 2004, the Commission will also continue to focus attention on customer satisfaction and outreach efforts to increase public awareness of the Commission and customer participation. Measures will be taken to enhance the visibility of the Commission and provide linkages to other agencies and programs, resulting in greater public awareness of the Vocational Rehabilitation Services Program.

The following excerpt from the State Rehabilitation Council's report, Indiana's Commission on Rehabilitation Services Report on the Effectiveness of the Vocational Rehabilitation Services Program, FFY 2002, which is submitted as a part of the Vocational Rehabilitation Services State Plan, aptly summarizes the program's impact.

Vocational Rehabilitation Services (VRS) once again achieved its goal of assisting individuals with disabilities in obtaining satisfactory jobs. The vast majority of these jobs were found in the competitive market. The program has either achieved or made substantial progress toward achieving its established annual goals and objectives. This year the program met or exceeded all but two of the established Federal Program Evaluation Standards and is aggressively working toward improvement in the areas not achieved. Because individuals return through their taxes once employed, many times over the cost of their rehabilitation, the long standing State/Federal partnership represented by the Vocational Rehabilitation Program continues to be an excellent investment in our future as a Nation and in the future of individuals with disabilities. The Indiana Vocational Rehabilitation Services program continues to be an excellent example of how a well administered, fiscally responsible and customer responsive public agency can make a difference in all our lives.



REACHING OUT

The Indiana Commission on Rehabilitation Services would like to know your opinion about how the Vocational Rehabilitation Program is meeting your needs. We will use this information to help us learn how well Vocational Rehabilitation is meeting its customers' expectations. It will also help us recommend improvements in vocational rehabilitation services for the people with disabilities in Indiana.

We would also like to hear from you if you wish to:

- know more about the Commission;
- share your ideas with us;
- attend a future Commission meeting; or
- be considered for appointment to the Commission.

You can contact the Commission:

by mail:

Vocational Rehabilitation Services (MS-20)
402 W. Washington Street
P.O. Box 7083
Indianapolis, Indiana 46207-7083

by phone:

(317) 232-1398, extension 1350
Toll Free: 1-800- 232-545-7763, extension 2-1350

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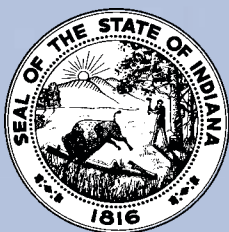
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